IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 17668 of 2007(C)

PETITIONERS:

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1. JAYADEVAN,
   KULATHIL, KACHERI JUNCTION, NEDUMANGADU,
   THIRUVANANTHAPURAM DISTRICT.

2. BEENAKUMARI, W/O. JAYADEVAN,
   KULATHIL, KACHERI JUNCTION, NEDUMANGADU,
   THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.D.KISHORE

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   ITS SECRETARY, REVENUE DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
   THIRUVANANTHAPURAM.

3. THE VILLAGE OFFICER,
   KOWDIAR VILLAGE, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SMT.ANU SIVARAMAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) No. 17668 OF 2007 - C

Dated this the 8th day of June, 2007

J U D G M E N T

The petitioners complain that they have been forced by the respondents to demolish their shed alleging that the shed is constructed on Government land. The petitioners further submit that without issuing any notice, the respondents are seeking to dispossess the petitioners. The petitioners therefore seek direction to respondents to give the petitioners an opportunity of being heard before proceeding further.

2. I have heard learned counsel for the petitioners as also the learned Government Pleader.

3. In the facts and circumstances of the case, I direct that further proceedings in this regard shall only be after issuing notice to the petitioners with opportunity of being heard which shall include the opportunity to adduce evidence and passing a speaking order. Needless to say, till orders are passed, further proceedings for evicting the petitioners from the land in question shall be kept in abeyance and further proceedings shall be only in accordance with the orders to be passed, that too

subject to the right of the petitioners to file appeal if the decision is against them.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007